**AMENDMENT TRANSMITTAL LETTER**Docket No.
SPINE 3.0-437 CIP CIP CIP CIP CIP CON VIApplication No.
10/642,529-Conf. #3170Filing Date
August 15, 2003Examiner
B. E. PellegrinoArt Unit
3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: INTERVERTEBRAL SPACER DEVICE HAVING A CIRCUMFERENTIALLY BURIED WIRE
MESHENDPLATE ATTACHMENT DEVICE**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|----------|------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 13 | - 20 = | 0 | x 50.00 | 0.00 |
| Independent Claims | 2 | - 3 = | 0 | x 210.00 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |

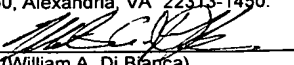
☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 502615
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
William A. Di Bianca
Attorney/Agent Reg. No.: 58,653Dated: February 25, 2008LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: February 25, 2008

Signature:  (William A. Di Bianca)

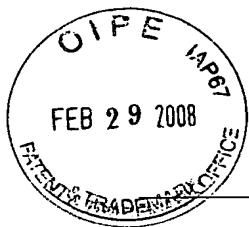
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Dated: February 25, 2008 Signature: 

(William A. Di Bianca)

Docket No.: SPINE 3.0-437 CIP CIP CIP CIP CIP CON VI
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:
Errico et al.

Application No.: 10/642,529

Filed: August 15, 2003

For: INTERVERTEBRAL SPACER DEVICE
HAVING A CIRCUMFERENTIALLY
BURIED WIRE MESHENDPLATE
ATTACHMENT DEVICE

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: Group Art Unit: 3738
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: Examiner: B. E.
Pellegrino

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed September 24, 2007, Applicants submit the following amendments and remarks.